Supreme Court, U.S.
FILED

No. 01-313 AUG 15 2001

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IN THE

Supreme Court of the United States

LOYD BREWER, *Pro Se*,
Petitioner,

v.

MICHAEL DUNAWAY, DIRECTOR, FARM SERVICE AGENCY OF UNITED STATES DEPARTMENT OF AGRICULTURE,
Respondent.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Eighth Circuit

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SUPPLEMENTAL APPENDIX

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UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

[UNPUBLISHED]

No. 99-3796

LOYD BREWER,
Appellant,
ALAN BREWER,
Intervenor-Appellant,
v.
TRAVIS O. LEE, HUSBAND; KATHLEEN D. LEE, WIFE;
THE FARM SERVICE AGENCY, BY ITS DIRECTOR,
MICHAEL DUNAWAY,
Appellees.

No. 00-1678

LOYD BREWER,
Plaintiff,
ALAN BREWER,
Intervenor-Appellant,
v.
TRAVIS O. LEE, HUSBAND; KATHLEEN D. LEE, WIFE;
FARM SERVICE AGENCY;
MICHAEL DUNAWAY, DIRECTOR,
Appellees.

Appeals from the United States District Court
for the Eastern District of Arkansas

Submitted: February 2, 2001
Filed: March 28, 2001

Before HANSEN, MORRIS SHEPPARD ARNOLD, and BYE, Circuit Judges.

PER CURIAM.

In case 99-3796, Loyd Brewer appeals the district court's[1] order granting defendants' motion to dismiss his quiet-title action. Because most of his claims were identical to those previously resolved in bankruptcy court and affirmed on appeal, or arose from the same nucleus of operative facts, we agree with the district court that res judicata barred all but one claim in the instant action. *See Costner v. URS Consultants, Inc.*, 153 F.3d 667, 673 (8th Cir. 1998) (elements of res judicata). We also agree with the court's conclusion that Brewer's remaining claim, adverse possession, failed as a matter of law. *See United States v. California*, 332 U.S. 19, 39-40 (1947) (rejecting argument that adverse possession applied against federal government). Accordingly, we affirm the judgment of the district court.

In case 00-1678, Alan Brewer appeals the district court's order granting defendants' motion to dismiss his complaint in intervention in his father's quiet-title action. Having carefully reviewed the record and the parties' submissions on appeal, we affirm the judgment of the district court. *See* 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

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[1] The Honorable James Maxwell Moody, United States District Judge for the Eastern District of Arkansas.